

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TROY E BELCHER,

Plaintiff,

v.

KEITH DEVOS, CATHI HARRIS,

Defendants.

No. 3:16-CV-05130-RJB-DWC

**ORDER ADOPTING REPORT AND
RECOMMENDATION AND
DISMISSING CASE**

THIS MATTER comes before the Court on the Report and Recommendation of Magistrate Judge David W. Christel. Dkt. 11. The Court has considered the Report and Recommendation and the remainder of the file herein.

On May 20, 2016, Magistrate Judge Christel issued a Second Order to Show Cause or Amend that gave Plaintiff the opportunity to correct deficiencies with the First Amended Complaint. Dkt. 10 at 3. Magistrate Judge Christel warned Plaintiff that failure to correct the deficiencies on or before June 20, 2016 would result in dismissal of the case. *Id.*

On June 27, 2016, Magistrate Judge Christel issued the Report and Recommendation to this Court, recommending dismissal of the case for Plaintiff's failure to correct fatal deficiencies in the complaint. Plaintiff filed a Motion for Extension of Time on June 24, 2016, noted for June 13, 2016, and Magistrate Judge Christel re-noted the Report and Recommendation for September

22, 2016. In the nearly three months since Plaintiff requested more time to file an amended complaint, Plaintiff has not made any filings. Plaintiff has not corrected the deficiencies in the complaint. Therefore, the Court should adopt the Report and Recommendation and dismiss the case.

* * *

It is HEREBY ORDERED:

- (1) The Court adopts the Report and Recommendation. Dkt. 11.
- (2) Plaintiff's case is dismissed without prejudice.
- (3) The Clerk is directed to send copies of this Order to Plaintiff and to the Hon. David W. Christel.

DATED this 26th day of September, 2016.



ROBERT J. BRYAN
United States District Judge